



4. This Court has original jurisdiction over this matter pursuant to 28 U.S.C. § 1331, as the TCPA arises under the laws of the United States. *Mims v. Arrow Fin. Svcs., LLC*, 565 U.S. 368, 377 (2012).

5. The Court has supplemental jurisdiction over Plaintiff's claims for declaratory relief, conversion, and violation of the "Missouri Consumer Fraud and Deceptive Business Practices Act." 28 U.S.C. § 1441(c); 28 U.S.C. § 1367.

## **II. Venue**

6. The State Court Action is being removed from the Circuit Court of St. Louis County, Missouri, which is within the Eastern District of Missouri. 28 U.S.C. § 105(a).

## **III. Procedure for Removal**

7. This Notice of Removal is timely because it is being filed within 30 days of Defendant's receipt of the Summons and Complaint, and within one year of the commencement of this action. 28 U.S.C. § 1446(b); *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 354 (1999) (explaining that the time for filing a notice of removal does not run until a party has been served with the summons and complaint under the applicable state law).

8. Pursuant to 28 U.S.C. § 1446(d), Defendant will promptly provide written notice of removal of this action to Plaintiff, and will promptly file a copy of this Notice of Removal with the Clerk of the Circuit Court of St. Louis County, Missouri.

9. A copy of all process, pleadings, and orders served upon Defendant is attached hereto as Exhibit A in accordance with 28 U.S.C. § 1446(a).

10. For all of the foregoing reasons, this Court has original jurisdiction over this lawsuit pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, and removal is proper.

WHEREFORE, Defendant respectfully requests that the above action now pending in the Circuit Court of St. Louis County, Missouri, Cause No. 19SL-CC00385 be removed to this Court for all further proceedings.

Respectfully Submitted,

ARMSTRONG TEASDALE LLP

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 27, 2019, the foregoing was filed with the Clerk of the Court using the CM/ECF system and served upon the following by United States Mail, postage prepaid and via electronic mail:

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